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U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES

BY 

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2007 Grand Jury

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
LEVLAD, INC.,  
Defendant.

CR 08 - **CR08-00577**  
I N D I C T M E N T  
[42 U.S.C. § 6928(d)(2)(A):  
Storage of Hazardous Waste  
without a Permit; 18 U.S.C.  
§ 2(b): Causing an Act to be  
Done]


The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

Defendant

1. Defendant LEVLAD, INC., operated a cosmetic products manufacturing facility located at 9200 Mason Avenue, Chatsworth, California. Defendant used hazardous substances, including alcohol and ethanol solutions, to blend and manufacture cosmetic products. As a part of its operations, defendant generated wastes, including ignitable wastes.

JOJ:joj 

1 The Resource Conservation and Recovery Act

2       2. The Resource Conservation and Recovery Act (hereinafter  
3 "RCRA"), Title 42, United States Code, Section 6901 et seq., was  
4 enacted by Congress to require safe management of hazardous waste  
5 from "cradle to grave," including during the generation,  
6 transportation, treatment, storage, and ultimate disposal of such  
7 waste.

8       3. Regulations promulgated under RCRA identify and list  
9 solid wastes that meet the definition of "hazardous." Wastes may  
10 be deemed "hazardous" under RCRA for a number of reasons,  
11 including whether they are ignitable (flammable), toxic,  
12 corrosive, or explosive, or whether they are specifically listed  
13 as a hazardous waste in the regulations (known as "listed"  
14 hazardous waste). Under RCRA, substances having a flashpoint  
15 less than or equal to 140 degrees Fahrenheit are considered  
16 "ignitable" hazardous wastes.

17       4. RCRA prohibits the storage of hazardous waste without a  
18 permit. The United States Environmental Protection Agency ("US  
19 EPA") and authorized states, including California, can issue RCRA  
20 permits. The California Department of Toxic Substances Control  
21 ("DTSC") issues and enforces RCRA permits in California.

22       5. These Introductory Allegations are hereby re-alleged  
23 and incorporated by reference into Count One of this Indictment.  
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COUNT ONE

[42 U.S.C. § 6928(d)(2)(A); 18 U.S.C. § 2(b)]

On or about May 16, 2003, in Los Angeles County, within the Central District of California, defendant LEVLAD, INC. did knowingly cause the storage of hazardous wastes, namely, ignitable wastes having flashpoints less than or equal to 140 degrees Fahrenheit, at a facility on the premises of 1153 South Eastern Avenue, Los Angeles, California, without a permit as required by the Resource Conservation and Recovery Act.

A TRUE BILL

151  
Foreperson

THOMAS P. O'BRIEN  
United States Attorney

*Christine C. Ewell*

CHRISTINE C. EWELL  
Assistant United States Attorney  
Chief, Criminal Division

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